

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
v.)	CRIMINAL ACTION
)	NO. 04-10010-PBS
MATTHEW DWINELLS,)	
Defendant,)	
_____)	

FINAL STATUS REPORT
December 17, 2004

SWARTWOOD, M.J.

The following is a Final Status Report to Saris, J. to whom this case is assigned:

1. Trial

I am informed by the parties that plea negotiations have been unsuccessful and therefore, that this case should be returned to Judge Saris for trial. I have granted that request.

2. Length of Trial

Counsel estimate six trial days.

3. Discovery

Completed.

4. Substantive Motions

None anticipated.

5. Defenses

Mr. Dwinells does not intend to present a public authority, insanity or alibi defense.

6. Interpreter

None needed.

7. Unusual Circumstances

None, except that this is a computer case which will involve expert testimony.

8. Excludable Time

With the assent of counsel for the parties, I have previously excluded from the Speedy Trial Act, the entire period from date of arraignment through December 16, 2004. Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Thursday, February 24, 2005.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
MAGISTRATE JUDGE